

METAL BANK OF AMERICA
ADMINISTRATIVE RECORD FILE *
FOR THE UNILATERAL ADMINISTRATIVE ORDER
INDEX OF DOCUMENTS

1. Letter to Ms. Colleen A. Lamont, Baltimore Gas & Electric Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for Remedial Design & Remedial Action (RD/RA) and demand for payment of costs, 2/6/98. P. 000001-000006.
2. Letter to Mr. Robert Rothberg, Cabot Corporation, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000007-000012.
3. Letter to Mr. Michael Wilcken, Consolidated Edison Company of New York, Inc., from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000013-000018.
4. Letter to Ms. Joanne M. Scanlon, Delmarva Power & Light Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000019-000024.
5. Letter to Mr. John F. Welch, GE Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000025-000030.
6. Letter to Mr. C. David Ferguson, Gould Electronics, Inc., from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000031-000036.
7. Letter to Mr. Irvin G. Schorsch, Jr. from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for

* Administrative Record File available 7/20/98 updated 7/21/99.

negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000037-000042.

8. Letter to Mr. James R. Wendelgass, Jersey Central Power & Light Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000043-000048.
9. Letter to Ms. Donna L. Riccobono, Long Island Lighting Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000049-000054.
10. Letter to Mr. James R. Wendelgass, Metropolitan Edison Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000055-000060.
11. Letter to Mr. D. Louis Peoples, Orange and Rockland Utilities, Inc., from Mr. Abraham Ferdas, U.S. EPA, re: Notice of potential liability, "General Notice", "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000061-000068.
12. Letter to Mr. Edward J. Cullen, Jr., PECO Energy Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000069-000074.
13. Letter to Mr. William F. Hecht, Pennsylvania Power & Light Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000075-000080.
14. Letter to Mr. Michael J. Boland, Potomac Electric Power Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000081-

000086.

15. Letter to Mr. Hugh J. Mahoney, Public Service Electric and Gas Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000087-000092.
16. Letter to Mr. Melvin L. Cooper, U.C.O.-M.B.A. Corporation, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000093-000098.
17. Letter to Mr. Melvin L. Cooper, The Union Corporation, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000099-000104.
18. Letter to Mr. A.W. Hadder, Virginia Electric and Power Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000105-000110.
19. Letter to Ms. Frances B. Wimmer, W.F. Wimmer Company, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 2/6/98. P. 000111-000116.
20. Letter to Mr. John B. Schorsch, in care of Mr. Martin Siegal, Farer, Siegal and Fersko, from Mr. Abraham Ferdas, U.S. EPA, re: "Special Notice" for negotiations for RD/RA and demand for payment of costs, 3/19/98. P. 000117-000122.
21. Administrative Order for Remedial Design and Remedial Action In The Matter Of: Metal Bank Superfund Site, Philadelphia, Pennsylvania; U.C.O.-M.B.A. Corporation; The Union Corporation; Irvin G. Schorsch, Jr.; John B. Schorsch; Baltimore Gas and Electric Company; Consolidated Edison Company of New

York, Inc.; Long Island Lighting Company;
Pennsylvania Power and Light Company; PECO Energy
Company; Potomac Electric Power Company; Public
Service Electric and Gas Company; Virginia Electric
and Power Company; and Orange and Rockland
Utilities, Inc., Respondents, Docket No. III-98-082-
DC, 6/26/98. P. 000123-000203.

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22. Memorandum to Mr. W. Michael McCabe, U.S. EPA, from Mr. William Early and Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for the RD/RA, 6/26/98. P. 000204-000204.
23. Letter to Mr. William Hecht, Pennsylvania Power & Light Company, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000205-000206.
24. Letter to Mr. D. Louis Peoples, Orange and Rockland Utilities, Inc., from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000207-000208.
25. Letter to Mr. A. W. Hadder, Virginia Electric and Power Company, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000209-000210.
26. Letter to Mr. Michael Boland, Potomac Electric Power Company, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000211-000212.
27. Letter to Ms. Colleen Lamont, Baltimore Gas & Electric, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000213-

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Entries 22 through 46 are an update to the Administrative Order. These documents are intentionally listed out of chronological order.

000214.

28. Letter to Mr. Edward Cullen, PECO Energy Co., from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000215-000216.
29. Letter to Mr. Melvin Cooper, U.C.O.- M.B.A. Corporation, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000217-000218.
30. Letter to Mr. Robert Rothberg, The Union Corporation, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000219-000220.
31. Letter to Mr. Irvin Schorsch, Hidden Glen, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000221-000222.
32. Letter to Mr. John Schorsch, Hidden Glen, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000223-000224.
33. Letter to Mr. Michael Wilcken, Consolidated Edison Company of New York, Inc., from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P.000225-000226.
34. Letter to Ms. Donna Riccobono, Long Island Lighting Company, from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000227-000228.
35. Letter to Mr. Hugh Mahoney, Public Service Electric and Gas, from Mr. Abraham Ferdas, U.S. EPA, re:

Transmittal of the Administrative Order for RD/RA and a request for compliance, 6/26/98. P. 000229-000230.

36. Letter to Mr. Joseph Feola, Pennsylvania Department of Environmental Protection (PADEP), from Mr. Abraham Ferdas, U.S. EPA, re: Transmittal of Administrative Order for RD/RA, 6/26/98. P. 000231-000231.
37. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, re: Transmittal of a good faith proposal to perform the RD for the Metal Bank Site, 3/24/98. P. 000232-000235.
38. Report: Corporate Statement of Qualifications to Provide Investigation and Remediation Consulting Services, prepared by QST Environmental Inc., 3/98. P. 000236-000391. A March 24, 1998, transmittal letter to Ms. Linda Dietz, U.S. EPA, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, and a Curriculum Vitae for Mr. Edward Kleppinger, are attached.
39. Letter to Mr. John Mattioni, Mattioni, Mattioni & Mattioni, from Ms. Elizabeth Lukens, U.S. EPA, re: Denial of a good faith proposal to perform the RD for the Metal Bank Site, 3/27/98. P. 000392-000393.
40. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Joseph Vitale, EarthTech, re: Cottman Avenue Potentially Responsible Party (PRP) Group's comments on issues regarding the Record of Decision (ROD) for the Metal Bank Site, 4/22/98. P. 000394-000399.
41. Presentation Material entitled, "Qualifications to Provide CERCLA Design Services Metal Bank Cottman Avenue Site," prepared by QST Environmental, Inc., 4/30/98. P. 000400-000419.
42. Letter to Mr. Jeffrey Martin, Hunton & Williams, from Mr. Steven Poplawski, Bryan Cave, re: Comments

on a May 4, 1998, proposal submitted by the PRP Group regarding the RD for the Metal Bank Site, 5/7/98. P. 000420-000423.

43. Letter to Mr. Steven Poplawski, Bryan Cave, from Mr. Jeffrey Martin, Hunton & Williams, re: Comments regarding a May 20, 1998, meeting and a May 7, 1998, letter concerning the RD for the Metal Bank Site, 6/26/98. P. 000424-000429.

44. Letter to Mr. David Topol, U.S. Department of Justice (DOJ), and Ms. Elizabeth Lukens, U.S. EPA, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, re: Restatement of an offer to perform the RD for the Metal Bank Site, 5/22/98. P. 000430-000431.

45. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Martin Siegal, Farer, Siegal & Fersko, re: Response to EPA's "Special Notice" letter and a request that Schorsch's name be removed from the list of PRP's, 5/22/98. P. 000432-000433.

46. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Jeffrey Martin and Mr. Dan Jordanger, Hunton & Williams, re: Response to EPA's "Special Notice" letter and submittal of a good faith proposal on behalf of the Cottman Avenue PRP Group, 5/26/98. P. 000434-000443.

*** 47. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, re: Comments on the Administrative Order for the RD/RA and Notification of Union Corporation's intent to comply 7/13/98. P. 000444-000447.

48. Report: Statement of Qualifications for Superfund Remedial Design and Implementation, prepared by QST Environmental, 7/7/98. P. 000448-000793. The

*** Entries 47 through 65 are in support of the Modification to the Administrative Order. These documents are intentionally listed out of chronological order.

following are attached:

- a) an undated letter to Ms. Linda Dietz, U.S. EPA, from Mr. Ed Tokarski, QST Environmental, Inc., transmitting a chart entitled, "Representative PCB Experience;"
 - b) a September 2, 1998, letter to Ms. Linda Dietz, U.S. EPA, from Mr. Ed Tokarski, QST Environmental, Inc., giving notification of additions to the RD Team and transmittal of their qualifications;
 - c) an August 3, 1998, letter to Mr. Ed Tokarski, QST Environmental, Inc., from Mr. Lloyd Sturgeon, S.T. Hudson Engineers Inc., transmitting qualifications for providing riverfront site remediation;
 - d) an undated personnel and qualifications package for Martin G. Imbach Inc.
49. Letter to Ms. Linda Dietz, U.S. EPA, from Arundhati Khanwalkar, PP&L Inc., re: Notification of PP&L's intent to comply with the Administrative Order for RD/RA, 7/21/98. P. 000794-000794.
50. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. David Farer, Farer, Siegal & Fersko, re: Notification that Schorsch intends to comply with the Administrative Order for RD/RA, 7/23/98. P. 000795-000796.
51. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Jeffrey Martin, Hunton & Williams, re: Notification of the Cottman Avenue PRP Group's intent to comply with the Administrative Order for RD/RA, 7/28/98. P. 000797-000799.

52. Report: Statement of Qualifications, Remedial Design Under CERCLA for the Metal Bank NPL Site, Philadelphia, PA, prepared by OGDEN Environmental and Energy Services Co., Inc. and Hart Crowser Earth and Environmental Technologies, 7/29/98. P. 000800-001329. The following are attached:
- a) an August 12, 1998, presentation handout entitled, "Remedial Design Under CERCLA for the Metal Bank NPL Site," prepared by OGDEN Environmental and Energy Services Co. Inc. and Hart Crowser Earth and Environmental Technologies;
 - b) a resumé for Mr. John Dobi, Public Service Electric and Gas Company;
 - c) a resumé for Ms. Carla Logan, Baltimore Gas and Electric;
 - d) an undated report entitled, "Supplemental Sediment Risk Assessment Experience for OGDEN Environmental and Energy Services Staff;"
 - e) an undated journal article entitled "Predicting Water Quality During Dredging and Disposal of Contaminated Sediments From the Sitcum Waterway in Commencement Bay, Washington, USA," Wat.Sci.Tech., vol.28, No.8-9, 1993;
 - f) an undated report entitled, "Natural Recovery of Contaminated Sediments - Examples from Puget Sound", prepared by Mr. Todd Thornburg and Mr. Steve Garbaciak, Hart Crowser Inc.;
 - g) an report entitled, "Voluntary Sediment Remediation and the EPA Superfund Process as Applied to Sitcum Waterway in Commencement Bay, Tacoma, Washington", prepared by Richard Gilmur, Port of Tacoma;

- h) an undated report entitled, "A General Framework for Consideration of a Nearshore CDF: Contaminated Sediment Confinement and Upland Creation," prepared by Mr. John Verduin and Mr. Philip Spadaro, Hart Crowser, Inc., and Mr. Thomas Wang, Hartman Associates;
 - i) undated imagery entitled, "West Harbor Operable Unit Wyckoff/Eagle Harbor Superfund Site, Soil and Sediment Remediation," prepared by Hart Crowser, Inc.;
 - j) a January 1997 report: Eagle Harbor Superfund Site, Soil and Sediment Remediation, Bid Specifications, Volume 1, prepared by Hart Crowser, Inc.
53. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Jeffrey Martin, Hunton & Williams, re: Notification of the Cottman Avenue PRP Group's proposed RD Contractor and Project Coordinator, 7/31/98. P. 001330-001332.
54. Letter to Mr. Edward Tokarski, QST Environmental, Inc., from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, re: Request that QST Environmental proceed immediately with RD Work Plan, 8/12/98. P. 0001333-0001334. An August 19, 1998, transmittal letter to Mr. Jeffrey Martin, Hunton & Williams, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, is attached.
55. Letter to Ms. Linda Dietz, U.S. EPA, from Mr. Dan Jordanger, Hunton & Williams, re: Summary of Cottman Avenue PRP Group's multi-step process for selecting OGDEN/Hart Crowser as the proposed RD contractor, 8/13/98. P. 001335-001348. The following are attached:
- a) a June 26, 1998, letter to Mr. Steven Poplawski, Hunton & Williams, from Mr.

Jeffrey Martin, Hunton & Williams,
regarding comments on a May 7, 1998,
meeting with QST Environmental;

- b) a May 7, 1998, letter to Mr. Jeffrey Martin, Hunton & Williams, from Mr. Steven Poplawski, Bryan Cave, regarding comments on a May 4, 1998, letter.
- 56. Letter to Mr. Dan Jordanger and Mr. Jeffrey Martin, Hunton & Williams, and Mr. John Mattioni, Mattioni, Mattioni & Mattioni, from Mr. Abraham Ferdas, U.S. EPA, re: Notification that there can be only one contractor and request that the "Respondants" collectively agree on a single firm to do the remediation work, 8/14/98. P. 001349-001350.
 - 57. Letter to Mr. John Mattioni, Mattioni, Mattioni & Mattioni, and Mr. Steven Poplawski, Bryan Cave, from Mr. Jeffrey Martin, Hunton & Williams, re: Request that the owner/operator respondents and PP&L, Inc., meet on August 28, 1998, to discuss selection of the RD contractor, 8/21/98. P. 001351-001351.
 - 58. Letter to Mr. Abraham Ferdas, U.S. EPA, from Mr. Jeffrey Martin and Mr. Dan Jordanger, Hunton & Williams, re: Request for EPA to select OGDEN/Hart Crowser as the sole authorized RD contractor, 8/28/98. P. 001352-001357.
 - 59. Letter to Mr. Jeffrey Martin, Hunton & Williams, from Mr. John Mattioni, Mattioni, Mattioni & Mattioni, re: Proposal on behalf of Union Corporation and Metal Bank to keep the RD proceeding, 9/9/98. P. 001358-001359.
 - 60. Letter to Mr. John Mattioni, Mattioni, Ltd., from Mr. Jeffrey Martin, Hunton & Williams, re: Notification of willingness to negotiate conditions of a RD proposal for the Metal Bank Site, 9/14/98. P. 001360-001362.
 - 61. Letter to Mr. Dan Jordanger, Hunton & Williams, and John Mattioni, Mattioni, Ltd., from Mr. Abraham Ferdas, U.S. EPA, re: Notification that the EPA has accepted OGDEN as the RD contractor, 9/22/98. P.

001363-001364.

62. Letter to Ms. Elizabeth Lukens, U.S. EPA, from Mr. John Mattioni, Mattioni, Ltd., re: Notification of a disagreement with EPA's decision to accept OGDEN/Hart Crowser as RD contractor, 10/2/98. P. 001365-001404. The following are attached:
- a) a September 29, 1998, letter to Mattioni, Ltd. from Mr. Edward Tokarski, QST Environmental, Inc., commenting on EPA's decision to name OGDEN/Hart Crowser as the remedial contractor;
 - b) a July 7, 1998, letter to Mr. Edward Tokarski, QST Environmental, Inc., from Mr. Joseph Vitale, EarthTech, Inc., notifying that QST Environmental, Inc., has been accepted to bid on the RD for the Metal Bank Site;
 - c) a July 20, 1998, letter to Mr. Joseph Vitale, Earth Tech, Inc., from Mr. David Hopper, QST Environmental, Inc., notifying that QST Environmental, Inc., has been retained by the owner of the Metal Bank Site.
63. Letter to Mr. John Mattioni, Mattioni, Ltd., from Mr. Dan Jordanger, Hunton & Williams, re: Request for access to Metal Bank Site to conduct RD activities, 10/5/98. P. 001405-001405.
64. Letter to Mr. Benjamin Cohan, U.S. EPA, from Mr.

John Mattioni, Mattioni, Mattioni & Mattioni, re:
Transmittal of supplemental qualification
information relating to selected marine specialists,
10/9/98. P. 001406-001408.

65. Letter to Mr. John Mattioni, Mattioni, Ltd., from
Mr. Abraham Ferdas, U.S. EPA, re: Response to
comments concerning OGDEN as the RD contractor,
10/22/98. P. 001409-001422. The following are
attached:

a) a September 19, 1998, memorandum to Mr.
Abraham Ferdas, U.S. EPA, from Ms. Linda
Dietz, U.S. EPA, documenting EPA's decision
concerning the choice of OGDEN as the RD
contractor.

66. Modification No. 1 to Administrative Order, In The
Matter Of: Metal Bank Superfund Site, Philadelphia,
Pennsylvania7; U.C.O.-M.B.A. Corporation; The Union
Corporation, Irvin G. Schorsch, Jr.; John B.
Schorsch; Baltimore Gas and Electric Company;
Consolidated Edison Company of New York, Inc.; Long
Island Lighting Company; Pennsylvania Power and
Light Company; PECO Energy Company; Potomac Electric
Power Company; Public Service Electric and Gas
Company; Virginia Electric and Power Company; and
Orange and Rockland Utilities, Inc., Respondents.
U.S. EPA Docket No. III-98-082-DC, 6/21/99. P.
001423-001426.